

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

ROBERT WALSH,

Plaintiff,

v.

NORHAMPTON COMMUNITY
COLLEGE, et al.,

Defendants.

CIVIL ACTION NO. 3:22-cv-01163

(MANNION, J.)
(SAPORITO, M.J.)

FILED
WILKES BARRE

DEC 08 2022

PER MS
DEPUTY CLERK

ORDER

On November 1, 2022, the plaintiff, Robert Walsh, filed his amended complaint in this action. (Doc. 16.) In addition to some brief prefatory material, the complaint consisted of 128 numbered paragraphs.

On November 15, 2022, two of the defendants, Northampton Community College and Karen Angeny (the "College Defendants"), filed their answer to the amended complaint, with affirmative defenses and a crossclaim against a third defendant, Leslie Gates. (Doc. 19.) In addition to some prefatory material, the answer consisted of 128 numbered paragraphs responding to the numbered paragraphs of Walsh's amended complaint, 79 numbered paragraphs¹ asserting affirmative defenses to

¹ These paragraphs are numbered 129 through 207.

the amended complaint, and 4 numbered paragraphs asserting a crossclaim against Gates.²

Because the College Defendants' affirmative defenses alleged new factual matter, on November 16, 2022, we ordered the plaintiff to file a reply to their answer and affirmative defenses pursuant to Rule 12(a)(1)(C) of the Federal Rules of Civil Procedure. (Doc. 21.)

On December 7, 2022, Walsh filed a document styled as an "opposition" to the College Defendants' answer, affirmative defenses, and crossclaim. (Doc. 24.) This document is in the nature of a brief, presenting legal argument only. It contains no numbered paragraphs, nor any reference to the numbered paragraphs of the College Defendants' affirmative defenses. It does not admit or deny *any* of the factual allegations asserted in the College Defendants' affirmative defenses. In sum, the "opposition" does not constitute a proper reply to the College Defendants' answer and affirmative defenses.

Accordingly, **IT IS HEREBY ORDERED THAT:**

1. The plaintiff's "opposition" to the College Defendants' answer,

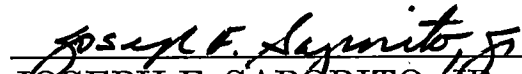
² For the crossclaim, the College Defendants opted to restart their paragraph numbering. These paragraphs are numbered 1 through 4.

affirmative defenses, and counterclaim (Doc. 24) shall be **DEEMED STRICKEN** pursuant to Rule 12(f) of the Federal Rules of Civil Procedure;

2. The plaintiff shall file a reply to the affirmative defenses asserted by the College Defendants (Doc. 19 ¶¶ 129–207) **within fourteen (14) days** after entry of this order; and

3. This reply shall consist of numbered paragraphs, with each paragraph corresponding to and admitting or denying the allegations of each numbered paragraph of the College Defendants' affirmative defenses (Doc. 19 ¶¶ 129–207).

Dated: December 8, 2022


JOSEPH F. SAPORITO, JR.
United States Magistrate Judge